

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF KENTUCKY**

**IN RE: AMENDMENTS TO LOCAL RULE OF COURT FOR THE  
FORFEITURE OF COLLATERAL WITHOUT APPEARANCE FOR THOSE  
MISDEMEANORS DESIGNATED**

**GENERAL ORDER NUMBER: 06-10**

**FILED  
JULY 14, 2006**

**ORDER**

The Local Rule of Court for the Forfeiture of Collateral Without Appearance For Those Misdemeanors Designated, E.D. General Order Number 04-04, be and is amended as follows:

**SECTION IV**

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Corps of Engineers Violations  
(Title 36, Chapter III, C.F.R.)

<u>Section</u>	<u>Offenses</u>	<u>Collateral</u>
327.1	Policy (discriminatory practices Prohibited)	\$75.00
327.2(b)	Vehicles (parking)	\$35.00
327.2(c)	Vehicles (off road operations)	\$75.00
327.2(d)	Vehicles (operation not in accordance with posted regulations)	\$50.00
327.2(e)	Vehicles (careless, negligent or reckless operation)	\$100.00
327.2(f)	Vehicles (ingress-egress developed areas)	\$50.00

327.2(g)	Vehicles (defective muffler)	\$50.00
<u>Section</u>	<u>Offenses</u>	<u>Collateral</u>
327.3(b)(c)(e) (f)(h)(i)(j)	Vessels	\$50.00
327.3(d)(g)	Vessels (careless, negligent or reckless operation)	\$100.00
327.4(b)(c)(e)(f)	Aircraft	\$75.00
327.5(a)(b)(c)	Swimming	\$50.00
327.6	Picnicking	\$35.00
327.7(a)(b) (c)(d)	Camping	\$50.00
327.8	Hunting, fishing, trapping	\$50.00
327.9(a) & (d)	Sanitation	\$75.00
327.9(b) (c)(e)	Sanitation	\$100.00
327.10(a) (b)(c)	Fires	\$50.00
327.11(a)	Control of Animals (pets on leash)	\$35.00
327.11(b)(c) (d)(g)	Control of Animals	\$50.00
327.12(a)(b) (d)(e)(f)	Restrictions	\$50.00
327.12(c)	Restrictions (disrupting, interfering)	\$100.00

327.13(a)(b)	Explosives, firearms, other weapons and fireworks	\$100.00
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<u>Section</u>	<u>Offenses</u>	<u>Collateral</u>
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327.14	Public Property	
	Value less than \$100.00	\$100.00
	Value in excess of \$100.00	M.C.A.

327.15(a)(b)	Abandonment of personal property	\$50.00
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327.16	Lost and found articles	\$50.00
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327.17	Advertisements	\$50.00
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327.18	Commercial Activities	\$75.00
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327.19	Permits	\$50.00
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327.20	Unauthorized structures	\$75.00
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327.21(a)(b)	Special Events	\$50.00
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327.22(a)	Unauthorized occupation (as residence)	\$50.00
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327.22(b)	Unauthorized occupation agricultural purposes	\$75.00
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327.23(b)(c)(d)	Recreation use fees	\$50.00
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327.24	Interference with government employees	M.C.A.
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**KENTUCKY REVISED STATUTES**

KRS 506.030	Criminal Solicitation	\$250.00
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KRS 510.130	Sexual Abuse	\$250.00
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KRS 510.150	Indecent Exposure	\$250.00
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KRS 525.060	Disorderly Conduct	\$250.00
KRS 525.060	Harassment	\$250.00

SECTION VII

U.S. Forest Service Regulations  
(Title 36 C.F.R., Chapter 2)  
(Title 18)

<u>Section</u>	<u>Offenses</u>	<u>Collateral</u>
36 C.F.R. <u>Section No.</u>	<b><u>Interfering with forest officer</u></b>	
261.3(a)	Threatening, resisting, intimidating or interfering with any forest officer	M.C.A.
261.3(b)	Giving any false, fictitious or fraudulent report or other information to forest officer knowing that such report is false	\$150.00
261.3(c)	Threatening, resisting, intimidating or interfering with any Forest Officer, volunteer, or human resource program enrollee	\$150.00
	<b><u>Disorderly conduct</u></b>	
261.4(a)	Fighting	\$150.00
261.4(b)	Offensive, derisive or annoying communication	\$100.00
261.4(c)	Inciting or producing imminent lawless action	\$100.00
261.4(d)	Making unreasonable noise	\$50.00
	<b><u>Fire</u></b>	

261.5(a)	Negligently throwing or placing burning, ignited, or other substance into National Forest where it might start a fire	M.C.A.
<b>Section</b>	<b>Offenses</b>	<b>Collateral</b>
261.5(b)	Firing a tracer or incendiary ammunition	\$100.00
261.5(c)	Causing timber, trees, brush or grass to burn except as authorized by permit	M.C.A.
261.5(d)	Leaving a fire without extinguishing it	\$50.00
261.5(e)	Allowing fire to escape from control (no wildfire)	\$100.00
	Allowing fire to escape from control (wildfire resulting)	M.C.A.
261.5(f)	Failure to remove all flammable materials around campfires	\$50.00

**Timber**

261.6(a)	Cutting or damaging timber not authorized by permit or contract	\$50.00
261.6(b)	Cutting standing tree under permit before designated	\$150.00
261.6(c)	Removing any tree or product under permit before approval	\$150.00
261.6(d)	Fraudulently marking timber for cutting or removal	\$250.00
261.6(e)	Removing un-designated timber or forest product without authorization	\$250.00

261.6(f)	Selling timber or forest product obtained through a free use permit	\$100.00
<b>Section</b>	<b>Offenses</b>	<b>Collateral</b>
261.6(g)	Violating any timber export	\$250.00
261.6(h)	Removing any timber, tree or other forest product without a permit, contract or other legal authorization	\$250.00
261.6(i)	Violation of the Forest Resource Conservation or Shortage Relief Act	
<hr/> <b><u>Livestock</u></b>		
261.7(a)	Placing or allowing unauthorized livestock to enter NF	\$100.00
261.7(b)	Failure to remove livestock when requested	\$250.00
261.7(c)	Failure to close gates	\$50.00
261.7(d)	Molesting, injuring, removing or releasing any livestock impounded under while in custody of the Forest Service	\$150.00
<hr/> <b><u>Fish and wildlife</u></b>		
261.8	Hunt, trap and fish without license	\$75.00
	Not carrying and displaying license	\$50.00
	False statements, altering, borrowing, lending license	\$150.00
	Unlawful weapon	\$100.00

Destroy or molest eggs, nest, young	\$100.00
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Section	Offenses	Collateral
	Exceeding bag limit First animal or bird	\$100.00
	Each additional	\$ 25.00
	Hunting over bait	\$150.00
	Shooting from vehicle or roadway	\$150.00
	Possession during closed season	\$250.00
	Killing male deer without visible antlers	\$250.00
	Killing deer by spotlighting	\$500.00
	Killing deer out of season	\$500.00
	Employment of light where deer frequent with weapon in possession	\$150.00
	Take fish unlawfully	\$150.00
	Killing antler-less deer	\$250.00
	Taking game or fish during closed season	\$200.00
	Killing turkey during closed season	\$500.00
	Violation of hunting and fishing regulations not set forth specifically herein	\$100.00

261.8(b-c)	Possession of firearm, implement or equipment used for hunting trapping or fishing	\$100.00
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<u>Section</u>	<u>Offenses</u>	<u>Collateral</u>
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261.8(d)	Possessing a dog not on a leash or confined	\$50.00
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261.8(e)	Curtail the free movement of any animal or plant into or out of a cave	\$150.00
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**Property**

261.9(a)(b)	Damaging, mutilating, destroying or removing property and natural features	\$100.00
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261.9(c)(d)	Damaging or removing any plant classified as threatened, rare or endangered	\$250.00
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261.9(e)	Unauthorized entry into building structure or prohibited area	\$100.00
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261.9(f)	Using any pesticide except for personal use as an insect repellent or as provided by special-use authorization for other minor uses	\$100.00
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261.9(g)	Digging in excavating, disturbing or in anyway damaging paleontological or historic sites	M.C.A.
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261.9(h)	Removing any paleontological, pre-historic, historic or archaeological resource, structure, site, artifact or property	M.C.A.
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261.9(i)	Excavating, damaging or removing any vertebrate fossil or removing any paleontological resource for commercial use without	
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	authorization	M.C.A.
261.9(j)	Excavating, damaging or removing any cave resource for commercial use without authorization	M.C.A.
Section	Offenses	Collateral

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**Occupancy and use**

261.10(a)	Constructing, placing, or maintaining road, trail, fence, etc. without permit	\$250.00.
261.10(b)	Occupying National Forest Land for residence without permit	M.C.A.
261.10(c)	Unauthorized commercial activity	\$150.00
261.10(d) (1, 2, 3)	Discharging firearms or other implement within 150 yards of a building or residence, across a road or body of water or into or within a cave	\$150.00
261.10(e)	Abandoning any personal property	\$50.00
261.10(f)	Placing vehicle or other object so as to impede or cause a safety hazard	\$50.00
261.10(g)(h)	Posting signs, materials, etc., without a permit or delaying, halting or preventing administrative use	\$50.00
261.10(i)	Operating devices which produce noise so as to unreasonably disturb any person	\$50.00
261.10(j)	Operating public address system without a permit	\$50.00
261.10(k)	Conducting meeting, assembly or special events without a permit	\$150.00

Section	Offenses	Collateral
261.10(l)	Violating any term or condition of a special-use authorization, contract or approved operating plan	\$150.00
261.10(m)	Failing to stop a vehicle when directed to do so by a Forest Officer	\$250.00
261.10(n)	Failing to pay any special use fee or other charges as required	\$100.00
261.10(o)	Discharging rockets, fireworks or other explosives into or within a cave	\$100.00
<hr/> <b><u>Sanitation</u></b>		
261.11(a)	Depositing in any toilet or plumbing structures anything that may cause damage	\$100.00
261.11(b)	Possessing or leaving debris on National Forest	
	Littering	\$100.00
	Dumping	\$300.00
261.11(c)	Placing substance in or near lake or stream	\$250.00
261.11(d)	Failure to remove or deposit debris in proper receptacles	\$100.00
261.11(e)	Bringing litter or debris from private property and placing it in Forest Service trash containers	\$100.00

Section	Offenses	Collateral
<b><u>Forest development roads</u></b>		
261.12(a)	Violation of load, weight, height etc., on Forest Service Roads and or trails	\$250.00
261.12(b)	Failure to have vehicle weighed	\$250.00
261.12(c)	Damaging or leaving in damaging condition roads or trails	\$100.00
261.12(d)	Blocking or restricting the use of roads or trails	\$50.00
<b><u>Use of vehicles</u></b>		
261.13	Motor vehicle use other than designated	\$100.00
261.14	Over-snow vehicle use	\$100.00
261.15(a)	Operating vehicle without a proper license as required by the State	
	Vehicle License	\$50.00
	Driver's License	\$50.00
261.15(b)	Operating vehicle without proper brakes	\$50.00
261.15(c)	Operating a vehicle without proper lights during night hours	\$50.00
261.15(d)	Operating a vehicle in violation of the noise emission standards	\$50.00
261.15(e)	Operating a vehicle while under the influence of alcohol or drugs	M.C.A.
261.15(f)	Creating unusual smoke from vehicle	\$50.00

Section	Offenses	Collateral
261.15(g)	Operating a vehicle in a careless and reckless manner	\$200.00
261.15(h)	Operating a vehicle in a manner that disturbs the land, vegetation, etc.	\$100.00
261.15(i)	In violation of State law established for vehicles used off roads	\$75.00
<b><u>Developed recreation areas</u></b>		
261.16(a)	Occupying campsite for other than camping	\$50.00
261.16(b)	Building fires outside of places built for fires	\$25.00
261.16(c)	Improper use of water faucets cleaning fish, animals, etc.	\$50.00
261.16(d)	Discharging fireworks, etc	\$50.00
261.16(e)	Occupying a day use area from 10:00 PM to 6:00 AM	\$25.00
261.16(f)	Failure to remove all equipment from site after vacating area or site	\$50.00
261.16(g)	Placing or using camping equipment in unauthorized areas	\$50.00
261.16(h)	Failure to have at least one person occupy area the first night without permission	\$50.00
261.16(i)	Leaving camping equipment unattended for more than 24 hours without permission	\$50.00

<u>Section</u>	<u>Offenses</u>	<u>Collateral</u>
261.16(j)	Failure to have animals on leash or under restrictive control	\$25.00
261.16(k)	Having animals in swimming area	\$25.00
261.16(l)	Bringing saddle animals in area unless authorized	\$50.00
261.16(m)	Operating or parking vehicle in unauthorized area	\$25.00
261.16(n)	Operating bikes or motorbikes on unauthorized trails	\$50.00
261.16(o)	Operating motor vehicles or motor-bikes except for entering or leaving area	\$50.00
261.16(p)	Failure to deposit body waste in proper facilities	\$75.00
<hr/> <b><u>Admission, recreation fees</u></b>		
261.17	Failure to pay the established fee for use of an area	\$30.00
<hr/> <b><u>National forest wilderness</u></b>		
261.18(a)	Possessing or using motorized equipment in a wilderness area	\$150.00
261.18(b)	Hang gliders or bicycles in wilderness	\$100.00
261.18(c)	Landing aircraft or dropping supplies, etc., in wilderness	M.C.A.

## **Special orders**

### **Fire**

<b>Section</b>	<b>Offenses</b>	<b>Collateral</b>
261.52(a)	Building or maintaining unauthorized fires	\$50.00
261.52(b)	Using explosives	M.C.A.
261.52(c)	Smoking	\$25.00
261.52(d)	Smoking in unauthorized areas	\$25.00
261.52(e)	Going in or being in a closed area	\$50.00
261.52(f)	Possessing, using or discharging fireworks	\$50.00
261.52(g)	Failure to have fire fighting tools	\$25.00
261.52(h)	Operating internal combustion engine	\$25.00
261.52(i)	Operating equipment with open flame	\$50.00
261.52(j)	Using engine without spark arrester in place	\$50.00
261.52(k)	Violating any state law specified in the order concerning burning, fires, or which is for the purpose of preventing or restricting the spread of fires	\$100.00

### **Special closures**

261.53(a) (b)(c)	Entering closed area for the protection of: threatened, endangered, rare, etc, plants and animals; special biological communities; areas of historical, archeological, etc; scientific or investigations; public health or safety or for protection of property	\$100.00
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Section	Offenses	Collateral
261.53(d)	Entering or being upon any area which is closed for the protection of scientific experiments or investigations	\$100.00
261.53(e)	Entering or being upon any area which is closed for the protection of public health or safety	\$100.00
261.53(f)	Entering or being upon any area which is closed for the protection of property	\$100.00
<b><u>Forest development roads</u></b>		
261.54(a)	Using prohibited vehicles in closed areas	\$150.00
261.54(c)	Using prohibited traffic in closed areas	\$100.00
261.54(c)	Using road for commercial hauling without permit	\$150.00
261.54(d)	Violation of speed, load, weight, height, length, width or other limitations specified by order	\$100.00
	Improper/expired state registration	\$50.00
	Improper display of registration no registration receipt/no proof ownership	\$50.00
	No valid operator's license in possession	\$50.00
	Using altered/fictitious operator's license	M.C.A.
	Lending operator's license to another	\$50.00
	Permitting unlicensed person to drive	\$50.00

Section	Offenses	Collateral
	Driving while privilege suspended/revoked	M.C.A.
	Driving without lights when required	\$50.00
	Defective/improper front lights	\$25.00
	Defective/improper rear/side/ clearance lights	\$25.00
	Defective/improper brake lights	\$25.00
	Defective horn	\$25.00
	Defective brakes	\$25.00
	Defective steering	\$25.00
	Windshield/windows obstructed	\$25.00
	Defective windshield wipers	\$25.00
	Defective/improper rearview	\$25.00
	Defective muffler	\$50.00
	Illegally modified exhaust system	\$75.00
	Permitting unlawful operation of a motor vehicle	M.C.A.
	No proof of ownership	\$50.00
	Failure to obey a traffic control device	\$25.00
	Operating a motorcycle without protective eye device	\$25.00

Section	Offenses	Collateral
	Operating/riding a motorcycle without a helmet	\$50.00
	Failure to operate in a careful manner	\$50.00
	Failure to yield right of way	\$100.00
	Improper passing	\$75.00
	Improper passing to the right	\$75.00
	Improper passing in a marked no passing zone	\$75.00
	Passing a school/church bus stopped	\$100.00
	Failure to signal for turn	\$25.00
	Failure to signal for stop	\$25.00
	Speeding:	
	6 - 9 MPH over limit	\$25.00
	10 - 14 MPH over limit	\$50.00
	15 - 19 MPH over limit	\$75.00
	20 - 24 MPH over limit	\$100.00
	25 MPH over limit	M.C.A.
	Attempting to elude a traffic officer	\$150.00
	Illegal parking, impeding traffic	\$35.00
	Illegal parking, where official signs prohibit/blocking a driveway	\$25.00
	Illegal parking in a marked handicapped space/blocking emergency equipment	\$50.00

Section	Offenses	Collateral
	Racing/drag racing	\$250.00
	ATV (all terrain vehicles) prohibited operations:	
	ATV on public roadway	\$50.00
	Helmet required	\$25.00
	Under 16 years - under 90cc	\$25.00
	Under 12 years - under 70cc	\$25.00
	Driving while intoxicated	M.C.A.
	Improper passing of a vehicle stopping for a pedestrian crossing	\$50.00
	Leaving the scene of an accident	M.C.A.
	Abandonment of a vehicle	\$50.00
	Failure to yield to an emergency vehicle	M.C.A.
	Failure to maintain insurance on motor vehicle	\$150.00
	Failure to show proof of insurance	\$50.00
261.54(e)	Being on closed road	\$100.00
261.54(f)	Reckless driving	\$150.00
	<b>Forest developed trails</b>	
261.55(a)	Being on closed trail	\$100.00
261.55(b)	Use of any type of vehicle prohibited on trail	\$50.00
261.55(c)	Use of any type of traffic or mode of transportation prohibited on trail	\$25.00

Section	Offenses	Collateral
261.55.(d)	Operating a vehicle in violation of speed, load, weight, height, length, width or other limitation specified	\$100.00
261.55(d)	Short-cutting a switchback	\$25.00
<b>Use of vehicle off roads</b>		
261.56	Violation of orders for Off-Road vehicles	\$100.00

Section	Offenses	Collateral
<b><u>National forest wilderness</u></b>		
261.57(a-g)	Violation of prohibitions in the wilderness areas; entering or being in area; possessing camping equipment; possessing non-burnable food or beverage containers; possessing fire-arms or fireworks; grazing, storing equipment or personal property; disposing of debris or waste	\$100.00
<b><u>Occupancy and use</u></b>		
261.58(a)	Camping for period longer than posted	\$50.00
261.58(b)	Entering or using closed site	\$50.00
261.58(c)	Entering or remaining in campground during established night periods	\$25.00
261.58(d)	Using prohibited equipment	\$25.00
261.58(e)	Camping violations	\$50.00
261.58(f)	More people in site than allowed by order	\$25.00

Section	Offenses	Collateral
261.58(g)	Parking or leaving vehicle in violation of posted instructions	\$50.00
261.58(h)	Parking in another's parking area	\$25.00
261.58(i)	Parking more than two vehicles in camping site	\$25.00
261.58(j)	Being publicly nude	\$75.00
261.58(k)	Being in a body of closed water	\$50.00
261.58(l)	Being in area after sundown or before sunrise	\$50.00
261.58(m)	Discharging firearm, air-rifle, etc.	\$100.00
261.58(n)	Possessing or operating a motor boat or jet boat	\$75.00
	Boating under influence	M.C.A.
	No registration	\$100.00
	Illegal operation 12 years old or over 12 years to 17 years	\$75.00
	Under 12 years old no PFD	\$75.00
	Skiing with no PFD	\$75.00
	Reckless operation	\$200.00
	Failure to obey buoys or signs	\$100.00
	Tying boat to buoys	\$50.00
	Prohibited riding	\$100.00

Section	Offenses	Collateral
	Violation of safety regulations	\$100.00
	Defective muffler	\$75.00
261.58(o)	Water skiing	\$50.00
261.58(p)	Storing or leaving boat or raft	\$75.00
261.58(q)	Operating water craft in excess of posted speed	\$100.00
261.58(r)	Launching boats at unauthorized areas	\$50.00
261.58(s)	Possessing or transporting birds or animals	\$50.00
261.58(t)	Possessing or transporting any part of tree or plant	\$200.00
261.58(u)	Being in an area between 10 PM and 6 AM	\$50.00
261.58(v)	Hunting or fishing	\$100.00
261.58(w)	Possessing or transporting any device capable of propelling a water-craft through the water	\$25.00
261.58(x)	Using a wheel, roller, or device for overland transportation of water-craft	\$50.00
261.58(y)	Landing of aircraft or dropping material or persons from aircraft	\$100.00
261.58(z)	Entering waters or component of a national wild or scenic river	\$100.00

Section	Offenses	Collateral
261.58(AA)	Riding horse in violation of posted instructions	\$50.00
261.58(BB)	Possessing a beverage which is defined as an alcoholic beverage by State Law	\$50.00
261.58(CC)	Possessing or storing food or refuse as specified	\$50.00
261.58(DD)	Reserved	
261.58(EE)	Depositing any body waste in a cave	\$75.00

**Misdemeanor**

**Title 18 U.S.C.A.**

1852	Timber removed or transported	M.C.A.
1853	Trees cut or injured	M.C.A.
1854	Trees boxed or pitched for turpentine	M.C.A.
1856	Fires left unattended and un-extinguished	M.C.A.
1857	Fences destroyed; livestock entering	M.C.A.
1858	Survey markers destroyed or removed	M.C.A.
1863	Trespass on closed National Forest lands	M.C.A.

**KENTUCKY REVISED STATUTES**

KRS 506.030	Criminal Solicitation	\$250.00
KRS 510.130	Sexual Abuse	\$250.00

KRS 510.150	Indecent Exposure	\$250.00
KRS 525.060	Disorderly Conduct	\$250.00
KRS 525.060	Harassment	\$250.00

Dated this 14<sup>th</sup> day of July, 2006.

s/ Joseph M. Hood  
JOSEPH M. HOOD, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY